

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EDWARD DAY, individually and on behalf of )  
the class defined herein, )

Plaintiff, )

v. )

CAPITAL MANAGEMENT SERVICES, L.P., )  
d/b/a, a/k/a CAPITAL MANAGEMENT )  
SERVICES, INC., CAPITAL MANAGEMENT )  
SERVICES, INC. d/b/a, a/k/a CAPITAL )  
MANAGEMENT SERVICES, L.P., and FFPM )  
CARMEL HOLDINGS I, LLC,

Defendants.

Case No.: 08 CV 4316

Judge Hart

**NOTICE OF MOTION**

To: Craig M. Shapiro  
Horwitz Horwitz & Associates, Ltd.  
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Chicago, IL 60602  
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PLEASE TAKE NOTICE that on the **10th day of September, 2008 at 11:00 A.M.**, or as soon thereafter as this Motion may be heard, I shall appear before the Honorable William T. Hart or any Judge sitting in his stead in courtroom 2243 of the Dirksen Federal Building, and shall then and there present **Defendant's Agreed Motion for an Enlargement of Time to File Responsive Pleadings**, a copy of which is hereby served upon you.

Respectfully Submitted,

s/Corinne C. Heggie  
One of the attorneys for Defendants

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